

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and

HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 8092 of 1996

Between:

B.Prameela, D/o. B.Subba Rao, Telugu-Typist,
Special Judl.I.Class MAgistrate, Mobile Court for SC/ST Cases, Warangal.

..... PETITIONER

AND

- 1 The State of A.P., Rep. Secretary.
Finance and planning Dept., Secretariat Buildings,
Hyderabad.
- 2 The Director of Treasuries and Accounts,
A.P., Hyderabad.
- 3 The Registrar (Admn) High Court of A.P.,
Hyderabad.
- 4 The District and Sessions Judge,

Warangal.
5 The District Treasury Officer,
Warangal.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue as appropriate writ order or direction, particularly one in the nature of Mandamus, declaring that the petitioner is entitled for special pay for possessing the Additional Qualifications of Telugu/ English Typewriting since her promotion as Typist i.e., dated 02/02/1985 as per the G.O.Ms.No.217 Finance and Plg., (TA) Dept., dated 06/02/1980 G.O.Ms.No.217 Finance and Planning (FWT) Dept., dated 27/05/1993 with reference to G.O.MS.No.75 Finance and Planning (FWTA)Dept., dated 25/03/1987 and G.O.(P) No.162 Finance and Planning (FW.P.C.I) Dept., dated 20/05/1993 and pass such other order orders as this Hon'ble Court may deem fit and proper in the circumstance of the case.

Counsel for the Petitioner : MR.K.SITHA RAM (Not Present)

Counsel for the Respondent Nos. 1, 2 & 5: GP FOR FINANCE & PLANNING

Counsel for the respondent Nos. 3 & 4: MR. C.V. NAGARJUNA REDDY.

The Court made the following :

ORAL ORDER:

(per Hon'ble The Chief Justice)

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1 . Petitioner is seeking to declare the action of respondent No.4 in not drawing her special pay for possessing additional qualification of Telugu/English Typewriting, as bad in law. Thus seeking direction that she be declared to be entitled to special pay as per G.O.Ms.Nos. 217, Finance & Planning (T.A) Department, dated 06.02.1980, 217, Finance & Planning (F.W.TA) Department, dated 27.05.1993, 75, Finance & Planning (F.W.TA) Department, dated 25.03.1987 and G.O.(P) No.162, Finance & Planning (FW.P.C.I) Department, dated 20.05.1993.

2 . Claim of the petitioner has been defeated by respondent No.1 in the affidavit of Smt. T. Radha, Additional Secretary to Government, Finance & Planning (FW) Department, stating that no doubt petitioner was appointed as Copyist on 19.01.1985 and promoted as Telugu Typist on 02.02.1986, but she is not entitled to the benefit of special pay. Special pay was sanctioned to the Typists and Stenos with certain conditions. Only in case Stenos or Typists fulfils those conditions, and pay drawing officer certifies that incumbent is attending both English and Telugu typewriting every month, then only petitioner will be eligible for special pay for having qualifications of English and Telugu Typewriting, otherwise an incumbent is not entitled to special pay for both the qualifications. Since petitioner is not fulfilling the conditions, she is not entitled to special pay.

3 . District Judge, Warangal, also filed affidavit stating that petitioner is not entitled and eligible for special pay.

4. When the writ petition is called for hearing, nobody has appeared for the petitioner. Since petitioner is not eligible for special, writ petition is dismissed. No costs.

DEVINDER GUPTA. C.J.,

B. SESHASAYANA REDDY. J.,

Dated: 23.12.2004.

VRK.

To

- 1 The Secretary to Government,
Finance and planning Dept., Secretariat Buildings,
Hyderabad.
- 2 The Director of Treasuries and Accounts,
A.P., Hyderabad.
- 3 The Registrar (Admn), High Court of A.P.,

- Hyderabad.
- 4 The District and Sessions Judge,
Warangal.
 - 5 The District Treasury Officer,
Warangal.
 6. Two CCs to G.P. for Finance & Planning, High Court Buildings,
Hyderabad (OUT).
 7. Two CD copies.

**HON'BLE SRI DEVINDER GUPTA,
CHIEF JUSTICE
AND
HON'BLE SRI JUSTICE B. SESHASAYANA REDDY.**

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W.P.NO. 8092 OF 1996.

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**(Order of the Bench delivered by
Hon'ble The Chief Justice)**

Dt: 23.12.2004.